

Appendix C

(Application for Approval as a Provider of a Personal Financial Management Instructional Course)

Acknowledgments, Agreements, and Declarations in Support of Application for Approval as a Provider of a Personal Financial Management Instructional Course

Name of Provider: _____

The Provider hereby assures and certifies compliance with all applicable federal statutes, regulations, policies, guidelines, and requirements including, but not limited to, 11 U.S.C. §§ 109(h) and 111. The Provider also specifically assures, certifies, and agrees that:

1. It is in compliance with all applicable laws and regulations of the United States and each state, commonwealth, district, or territory of the United States in which the Provider seeks approval from the United States Trustee.
2. No member of the board of directors or trustees, owner, officer, manager, employee, or agent is a United States Trustee Program employee, panel trustee, or person with a financial or familial connection to a panel trustee or an employee of the United States Trustee Program. For purposes of this paragraph, a person is not deemed to have a financial relationship to a panel trustee solely because the person is an employee of the panel trustee.
3. It will comply with the policies and directives of the United States Trustee and the Executive Office for United States Trustees, as may be issued from time to time.
4. It will make all records related to the Provider's compliance with 11 U.S.C. § 111 available to the United States Trustee upon request and cooperate with the United States Trustee for any scheduled or unscheduled on-site visit or customer service audit.
5. Its personnel will have adequate experience and training to provide effective instruction and services.
6. Its learning materials and methodologies are designed to assist debtors in understanding personal financial management and are consistent with stated objectives directly related to the goals of such instructional course.
7. Any fee, contribution, or payment received for education services will be reasonable in amount, and the Provider will provide services without regard to a student debtor's ability to pay.

8. It will not pay or receive referral fees or other consideration for the referral of debtor students.
9. The course will not contain any commercial advertising, and the Provider shall not promote, market, or sell financial products; solicit business of any type; or sell information about the debtor to any third party, whether the course is presented in a classroom, on the telephone, or on the Internet.
10. An approved Provider may state that it is approved to provide instructional counsel in personal financial management as required under the Bankruptcy Code. However, any advertisement that refers to such approval shall only be phrased in the following manner: *“Approved to issue certificates evidencing completion of a personal financial management instructional course in compliance with the Bankruptcy Code. Approval does not endorse or assure the quality of a Provider’s services.”* Approved Providers shall not use the United States Department of Justice’s seal, the United States Trustee’s seal, the Bankruptcy Court’s seal, or any seal of the United States or a likeness thereof.

I HEREBY DECLARE under penalty of perjury that the foregoing representations are true and correct to the best of my knowledge, information, and belief.

Signature

Date